

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

VERONICA KNEPP,

Plaintiff,

v.

EDUCATIONAL FINANCIAL SERVICES, A
DIVISION OF WELLS FARGO BANK, N.A.

Defendant.

In re:

VERONICA KNEPP,

Debtor.



Order Filed on March 5, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Chapter 7

Case No. 11 -02269

Adv. No. 18 -01389

Hearing Date: 2/13/2019

Hon. Vincent F. Papalia

**ORDER GRANTING DEFENDANT'S MOTION FOR A STAY PENDING APPEAL,
DENYING PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT
AND DENYING PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION AND
LIMITED CLASS CERTIFICATION**

The relief set forth on the following two (2) pages is **ORDERED**.

DATED: March 5, 2019

A handwritten signature in cursive script, reading "Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

Upon the motion of Defendant Education Financial Services, a Division of Wells Fargo Bank, N.A. (incorrectly named as “Educational Financial Services”) (“Defendant”), to stay the above-captioned action pending appeal (“Stay Motion”) [ECF # 40]; and where the Plaintiff Veronica Knepp (“Plaintiff”) interposed opposition to the Stay Motion (“Opposition to Stay Motion”) [ECF # 47]; and where Defendant filed a Response to the Opposition to Stay Motion (the “Response to Opposition to Stay Motion”) [ECF # 52]; and where a hearing took place on the Stay Motion on February 13, 2019 (the “Hearing”); and after having reviewed the Stay Motion, the Opposition to Stay Motion, the Response to Opposition to Stay Motion, and the oral arguments made by counsel for the Defendant and Plaintiff at the Hearing and the entire record herein, the Court rendered a decision on the record^{*} (the “Decision”) [ECF # 56]; for the reasons set forth in the Decision, it is hereby ORDERED:

1. The Stay Motion is granted;

Upon the motion of Plaintiff for leave to file an amended complaint (“Motion to Amend”) [ECF # 37]; and where the Defendant interposed opposition to the Motion to Amend (“Opposition to Motion to Amend”) [ECF # 48]; and where Plaintiff filed a Response to the Opposition to Motion to Amend (the “Response to Opposition to Motion to Amend”) [ECF # 51]; and where the Hearing took place; and having reviewed the Motion to Amend, the Opposition to Motion to Amend, the Response to Opposition to Motion to Amend, and the oral arguments made by counsel for the Defendant and Plaintiff at the Hearing and the entire record herein, the Court rendered a Decision; for the reasons set forth in the Decision, it is hereby ORDERED:

1. The Motion to Amend is denied without prejudice;

^{*}at the conclusion of the Hearing

Upon the motion of the Plaintiff for a preliminary injunction and for limited class certification (“Motion for Preliminary Injunction and Limited Class Certification”) [ECF # 39]; and where the Parties agreed to adjourn the briefing and return date of the Motion for Preliminary Injunction and Limited Class Certification pending the Court’s Decision and Order regarding Defendant’s Stay Motion and Plaintiff’s Motion to Amend; and where the Hearing took place; and for the reasons stated above and in the Decision, the Court granted Defendant’s Stay Motion and denied Plaintiff’s Motion to Amend, without prejudice; and for the reasons set forth in the Decision, it is hereby ORDERED:

- 1. The Motion for Preliminary Injunction and Limited Class Certification is denied without prejudice.**